

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Case No. 21-22145-JAD

Weston D. Wagner
Carrie A. Wagner

Chapter 13

Debtor(s).

Related to Doc. Nos. 84 & 91 and 93

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: The Trustee
- ☐ a motion to lift stay
as to creditor _____
- ☐ Other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated _____
- ☒ Amended Chapter 13 Plan dated September 5, 2023

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor(s) Plan payments shall be changed from \$ _____ to
\$ _____ per _____, effective _____; and/or the Plan
term shall be changed from 36 months to 60 months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☐ Other: _____

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 26th day of October, 2023

Dated: 10/26/2023



United States Bankruptcy Judge
Jeffery A. Deller

Stipulated by:

/s/ Christopher M. Frye
Christopher M. Frye (PA I.D. #208402)
Counsel to Debtor
Steidl & Steinberg
Suite 2830 Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
412-391-8000
Chris.frye@steidl-steinberg.com

Stipulated by:

/s/ Katherine DeSimone
Katherine DeSimone (PA I.D. #42575)
Counsel to Chapter 13 Trustee
Office of the Chapter 13 Trustee
U.S. Steel Tower – Suite 3250
600 Grant Street
Pittsburgh, PA 15219
412-471-5566
kdesimone@chapter13trusteewdpa.com

cc: All Parties in Interest to be served by Clerk

FILED
10/26/23 2:37 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Weston D. Wagner
Carrie A. Wagner
Debtors

Case No. 21-22145-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 26, 2023

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 27

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 28, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Weston D. Wagner, Carrie A. Wagner, 122 Glenngarry Drive, Moon Township, PA 15108-9746
15419609	+ Law Offices of Frederic I. Weinberg, 375 E. Elm Street, Suite 210, Conshohocken, PA 19428-1973

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: ebnbankruptcy@ahm.honda.com	Oct 27 2023 00:21:00	American Honda Finance Corporation d/b/a Honda Fin, 3625 W. Royal Lane #200, Irving, TX 75063-2912
15419603	Email/Text: ebnbankruptcy@ahm.honda.com	Oct 27 2023 00:21:00	American Honda Finance, Attn: National Bankruptcy Center, Po Box 168088, Irving, TX 75016
15419604	Email/Text: creditcardbkcorrespondence@bofa.com	Oct 27 2023 00:19:00	Bank of America, N.A., Attn: Bankruptcy, Po Box 982234, El Paso, TX 79998
15419606	+ Email/Text: bankruptcy_notifications@ccsusa.com	Oct 27 2023 00:22:00	CCS Collections, 725 Canton Street, Norwood, MA 02062-2679
15419605	+ Email/Text: bankruptcy@cavps.com	Oct 27 2023 00:21:00	Cavalry Portfolio Services, Attn: Bankruptcy, 500 Summit Lake Drive, Suite 400, Vahalla, NY 10595-2321
15420493	+ Email/Text: bankruptcy@cavps.com	Oct 27 2023 00:21:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15562326	+ Email/Text: bankruptcy@clearviewfcu.org	Oct 27 2023 00:21:00	Clearview Federal Credit Union, 8805 University Boulevard, Moon Township, PA 15108-4212
15436143	+ Email/Text: jdryer@bernsteinlaw.com	Oct 27 2023 00:20:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
15423164	+ Email/Text: PBNCNotifications@peritussservices.com	Oct 27 2023 00:19:00	Kohl's, Peritus Portfolio Services II, LLC, PO BOX 141509, IRVING, TX 75014-1509
15419607	+ Email/Text: PBNCNotifications@peritussservices.com	Oct 27 2023 00:19:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15432181	Email/PDF: resurgentbknofications@resurgent.com	Oct 27 2023 00:28:47	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15419610	+ Email/Text: bankruptcydpt@mcmcg.com	Oct 27 2023 00:21:00	Midland Credit Management, Attn: Bankruptcy, 350 Camino De La Reine, Suite 100, San Diego, CA 92108-3007
15423963	+ Email/Text: bankruptcydpt@mcmcg.com	Oct 27 2023 00:21:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15419612	+ Email/Text: bankruptcyntices@psecu.com		

District/off: 0315-2

User: auto

Page 2 of 3

Date Rcvd: Oct 26, 2023

Form ID: pdf900

Total Noticed: 27

		Oct 27 2023 00:22:00	P S E C U, Attention: Bankruptcy, Po Box 67013, Harrisburg, PA 17106-7013
15419614	Email/Text: Bankruptcy.Notices@pnc.com	Oct 27 2023 00:19:00	PNC Bank, Attn: Bankruptcy, Po Box 94982: Mailstop Br-Yb58-01-5, Cleveland, OH 44101
15419615	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 27 2023 00:28:42	Portfolio Recovery Associates, LLC, Attn: Bankruptcy, 120 Corporate Boulevard, Norfolk, VA 23502
15435625	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 27 2023 00:43:38	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15428237	+ Email/Text: bankruptcynotices@psecu.com	Oct 27 2023 00:22:00	PSECU, PO BOX 67013, HARRISBURG, PA 17106-7013
15419616	+ Email/Text: bankruptcyteam@quickenloans.com	Oct 27 2023 00:21:00	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-3573
15419617	^ MEBN	Oct 27 2023 00:08:43	Revco Solutions, PO Box 2724, Columbus, OH 43216-2724
15426879	+ Email/Text: bankruptcyteam@quickenloans.com	Oct 27 2023 00:21:00	Rocket Mortgage, LLC f/k/a Quicken Loans, at. el, 635 Woodward Avenue, Detroit MI 48226-3408
15419618	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 27 2023 00:28:08	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15419619	^ MEBN	Oct 27 2023 00:08:31	Transworld Systems Inc., 300 Cedar Ridge Drive, Suite 307, Pittsburgh, PA 15205-1159
15419620	^ MEBN	Oct 27 2023 00:07:48	UPMC, PO Box 371472, Pittsburgh, PA 15250-7472
15434249	Email/Text: BNCnotices@dcmsservices.com	Oct 27 2023 00:20:00	UPMC PHYSICIAN SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123

TOTAL: 25

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
15419608	*+	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15419611	*+	Midland Credit Management, Attn: Bankruptcy, 350 Camino De La Reine, Suite 100, San Diego, CA 92108-3007
15419613	*+	P S E C U, Attention: Bankruptcy, Po Box 67013, Harrisburg, PA 17106-7013

TOTAL: 1 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 28, 2023

Signature: /s/Gustava Winters

District/off: 0315-2

User: auto

Page 3 of 3

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 26, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. bnicholas@kmlawgroup.com
Christopher M. Frye	on behalf of Joint Debtor Carrie A. Wagner chris.frye@steidl-steinberg.com julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;awerkmeister@steidl-steinberg.com;amattish@steidl-steinberg.com
Christopher M. Frye	on behalf of Debtor Weston D. Wagner chris.frye@steidl-steinberg.com julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;awerkmeister@steidl-steinberg.com;amattish@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com btemple@bernsteinlaw.com;jdryer@bernsteinlaw.com;kebeck@ecf.courtdrive.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
William E. Craig	on behalf of Creditor American Honda Finance Corporation d/b/a Honda Financial Services Administrator for Honda Lease Trust ecfmail@mortoncraig.com, mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 7